

FOR CERTAIN TYPES OF SURFACE COAL MINING, THE DEPARTMENT MAY NOT ISSUE A PERMIT TO CONDUCT SUCH OPERATIONS ON THAT AREA. THE DEPARTMENT SHALL DETERMINE THE POINT IN TIME AT WHICH THE FILING OF A PETITION UNDER THIS SECTION SHALL ACT TO STAY ISSUANCE OF A PERMIT APPLIED FOR UNDER § 505 OF THIS SUBTITLE.

7-507

(a) THE BUREAU MAY REQUIRE AN OPERATOR TO ESTABLISH AND MAINTAIN SUCH RECORDS, MAKE SUCH REPORTS, AND PROVIDE SUCH INFORMATION AS MAY REASONABLY BE REQUIRED TO ENABLE THE BUREAU TO DETERMINE WHETHER THE OPERATOR HAS ACTED OR IS ACTING IN COMPLIANCE WITH THIS SUBTITLE AND RULES AND REGULATIONS PROMULGATED PURSUANT TO IT. By the 25th day of each month, every operator of a [coal-stripping] STRIP MINING operation shall furnish the Bureau, on a form the Bureau furnishes, a monthly report of coal produced, number of employees and days worked, and every accident for the previous month. THE BUREAU SHALL REQUIRE [An] AN annual report [shall be furnished to the Bureau] not later than February 25 of each year [for the preceding year] covering facts [the Bureau may require] regarding the production and condition of the operation during the calendar year preceding.

(c) The Department and its agents may enter on and inspect any open-pit mining operation to determine conditions of safety and assure compliance with the provisions of this subtitle any rules and regulations promulgated under it and permit conditions, AND SHALL HAVE ACCESS TO AND THE RIGHT TO COPY ANY RECORDS, REPORTS, OR OTHER INFORMATION REQUIRED BY THE BUREAU UNDER THIS SUBTITLE. If an operator fails to comply with requirements of this subtitle, any rule or regulation or permit condition, the Department immediately shall notify the operator by certified mail or personal delivery of the failure and require compliance within a specified time. THIS TIME MAY NOT EXCEED 90 DAYS UNLESS THE DEPARTMENT DETERMINES IN WRITING THAT A LONGER PERIOD IS NECESSARY. Copies of all records, reports, inspection materials and information shall be available to the public. If the operator does not comply within the time specified, the Department shall issue a cease and desist order requiring the operator immediately to cease all or a portion of the open-pit mining operation in question until the Department determines that the operator is in full compliance. If the operator persistently or repeatedly fails to comply with a notice or order, the Department, after a hearing and final determination that the operator has failed to show cause, shall suspend or cancel the permit on this operation. The Department also may order the immediate stopping of any operation conducted by an operator who lacks the license or permit required by this subtitle. In addition, Committee members may enter on any open-pit operation to determine land reclamation conditions and progress. Any deficiency noted shall be reported to the Department. The Committee may